

To: Williams, Laura[williams.laura@epa.gov]; Poetter, Joe[poetter.joe@epa.gov]; Leclerc, Russell[Leclerc.Russell@epa.gov]; Murray, Bill[Murray.Bill@epa.gov]; Wharton, Steve[Wharton.Steve@epa.gov]; Ostrander, David[Ostrander.David@epa.gov]; Hulstein, Sarah[hulstein.sarah@epa.gov]; Hall, Katherin[hall.katherin@epa.gov]; Madigan, Andrea[Madigan.Andrea@epa.gov]
Cc: Vanroden, Victoria[Vanroden.Victoria@epa.gov]; McDonough, Barbara[McDonough.Barbara@epa.gov]; Fine, Ellyn[Fine.Ellyn@epa.gov]
From: Vallejos, Cinna
Sent: Thur 10/8/2015 4:43:56 PM
Subject: RE: gold king cost

No worries Laura and I apologize for sounding so frustrated. It's been 2 months and the locals are getting restless and incurring more and more costs that they've been told will be reimbursed. I spoke with La Plata County yesterday afternoon and received a call from Southern Ute this morning. They are all waiting for EPA to give input to their proposed list of activities.

Cinna Vallejos

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"Your life is an occasion, rise to it!" Suzanne Weyn

From: Williams, Laura
Sent: Thursday, October 08, 2015 10:34 AM
To: Vallejos, Cinna; Poetter, Joe; Leclerc, Russell; Murray, Bill; Wharton, Steve; Ostrander, David; Hulstein, Sarah; Hall, Katherin; Madigan, Andrea
Cc: Vanroden, Victoria; McDonough, Barbara; Fine, Ellyn
Subject: RE: gold king cost

Cinna, my apologies for any frustration I've caused. You ask a very good question, and hopefully we'll have an answer soon. Thank you for legal understanding. We will keep discussing this and share any enlightenment that we receive. Hang in there, lw

From: Vallejos, Cinna

Sent: Thursday, October 08, 2015 10:32 AM

To: Williams, Laura; Poetter, Joe; Leclerc, Russell; Murray, Bill; Wharton, Steve; Ostrander, David; Hulstein, Sarah; Hall, Katherin; Madigan, Andrea

Cc: Vanroden, Victoria; McDonough, Barbara; Fine, Ellyn

Subject: RE: gold king cost

It has been my understanding from the start that the legal authority is CERCLA Subpart O 35.6240 which we could use pipeline funds however I have been continuously told we are using removal funds due to the origin of the incident. For the cooperative agreements we (R8,R6&R9) are in the process of requesting a deviation from 35.6200 regarding the 6 month planning period. We have not discussed using 35.6060 Political subdivision-lead pre-remedial cooperative agreements.

For the record we are not in any negotiations at this time. We are only in ongoing discussions. None of the entities have turned in a Cooperative Agreement application.

If after much consideration EPA is determining that a cooperative agreement is not the appropriate vehicle to reimburse the involved State's, Local Governments and Indian Tribes for their costs related to the GK Blowout or for their future involvement who is responsible for making that decision?

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From: Williams, Laura

Sent: Thursday, October 08, 2015 10:02 AM

To: Vallejos, Cinna; Poetter, Joe

Cc: Leclerc, Russell; Murray, Bill; Wharton, Steve; Ostrander, David

Subject: RE: gold king costs

HQs seems to think we should be using pipeline dollars for non-assessment costs related to the response. I haven't been involved in the details of the work that each of the CAs are proposing so I can't provide an understanding of what the funding mechanism should be. David has been asking for the legal authority under which we have been negotiating these CAs. I think that will drive how we approach funding these as much as any other factor. For now, I have a limited budget and cannot proceed with any of the CAs that isn't a critical need. - lw

From: Vallejos, Cinna

Sent: Thursday, October 08, 2015 9:57 AM

To: Poetter, Joe

Cc: Leclerc, Russell; Murray, Bill; Wharton, Steve; Ostrander, David; Williams, Laura

Subject: gold king costs

Hi Joe,

Please confirm the only funding we are using for costs related to Gold King is Removal. I have another call with HQ later today, Victoria VanRoden (OEM), Barbara McDonough (RMD), and Ellyn Fine (SR) regarding the deviation and the cooperative agreements in general.

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